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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/075,310	02/14/2002	Joerg Habetha	DE 010045	8938

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS  
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BRIARCLIFF MANOR, NY 10510

EXAMINER

MERED, HABTE

ART UNIT PAPER NUMBER

2662

DATE MAILED: 11/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/075,310

Applicant(s)

HABETHA, JOERG

Examiner

Habte Mered

Art Unit

2662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 02/14/02.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 1-7** are rejected under 35 U.S.C. 103(a) as being unpatentable over Yonge, III et al (US 6, 671, 284), hereinafter referred to as Yonge, in view of Johnson et al (Johnson et al, "On Suitable Codes For Frame Synchronization in Packet Radio Lans", 1994, IEEE), hereinafter referred to as Johnson.

*Yonge discloses a robust MAC scheme for network stations operating in an OFDM transmission network.*

*Johnson teaches frame synchronization schemes for ad hoc networks.*

3. Regarding **claim 1**, Yonge discloses a network comprising a plurality of subnetworks which can each be connected via bridge terminals (**Figure 32 and Column 35, Lines 5-45**) and each include a controller (**Figure 2, element 76**) for controlling a subnetwork, which controller is provided for shifting the frame structure of its subnetwork (**Column 9, Lines 5-15**).

Yonge fails to disclose shifting the frame structure of its subnetwork to at least a frame structure of another subnetwork.

Johnson teaches shifting the frame structure of its subnetwork to at least a frame structure of another subnetwork. **(See P 1423, Section V, third paragraph – Johnson indicates adding a sequence to lengthen the frame for synchronization purposes)**

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Yonge's apparatus to incorporate to incorporate frame synchronization by shifting the frame. The motivation being Yonge describes the need for proper frame synchronization in Column 1, Lines 21-22 and Johnson teaches how frame synchronization is achieved.

4. Regarding **claim 7**, Yonge teaches a controller **(Figure 2, element 76)** in a subnetwork which can be connected to other subnetworks of a network via bridge terminals, the controller being provided - for controlling a subnetwork **(Column 9, Lines 5-15)**.

Yonge fails to teach displacing the frame structure of the network relative to at least one frame structure of another subnetwork.

Johnson teaches displacing the frame structure of the network relative to at least one frame structure of another subnetwork. **(See P 1423, Section V, third paragraph – Johnson indicates adding a sequence to lengthen the frame for synchronization purposes)**

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Yonge's apparatus to incorporate to incorporate frame synchronization by shifting the frame. The motivation being Yonge describes the need

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for proper frame synchronization in Column 1, Lines 21-22 and Johnson teaches how frame synchronization is achieved.

5. Regarding **claim 2**, Yonge teaches all aspects of the claimed invention as set forth in the rejection of claim 1, but fails to disclose a network, characterized in that a controller is provided for lengthening frames or for inserting an unused phase between successive frames up to a prescribed frame difference relative to the frame structure of the other subnetwork.

Johnson teaches a network, characterized in that a controller is provided for lengthening frames or for inserting an unused phase between successive frames up to a prescribed frame difference relative to the frame structure of the other subnetwork. **(See P 1423, Section V, third paragraph – Johnson indicates adding a sequence to lengthen the frame for synchronization purposes. )**

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Yonge's apparatus to incorporate to incorporate frame synchronization by shifting the frame. The motivation being Yonge describes the need for proper frame synchronization in Column 1, Lines 21-22 and Johnson teaches how frame synchronization is achieved.

6. Regarding **claim 3**, Yonge teaches all aspects of the claimed invention as set forth in the rejection of claim 1, but fails to disclose a network, characterized in that a controller is provided for shortening frames up to a prescribed frame difference relative to the frame structure of the other subnetwork.

Johnson teaches a network, characterized in that a controller is provided for shortening frames up to a prescribed frame difference relative to the frame structure of the other subnetwork. **(See P 1423, Section V, third paragraph – Johnson indicates adding a sequence to lengthen the frame for synchronization purposes. The sequence that is added can be shorter than the normal case consequently making the frame shorter.)**

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Yonge's apparatus to incorporate to incorporate frame synchronization by shifting the frame. The motivation being Yonge describes the need for proper frame synchronization in Column 1, Lines 21-22 and Johnson teaches how frame synchronization is achieved.

7. Regarding **claim 4**, Yonge teaches all aspects of the claimed invention as set forth in the rejection of claim 1, but fails to disclose a network, characterized in that a controller of a first subnetwork is provided for shortening frames, and at least a controller of another subnetwork is provided for lengthening frames or for inserting an unused phase between successive frames up to a prescribed frame difference of the frame structures of the two subnetworks.

Johnson discloses a network, characterized in that a controller of a first subnetwork is provided for shortening frames, and at least a controller of another subnetwork is provided for lengthening frames or for inserting an unused phase between successive frames up to a prescribed frame difference of the frame structures of the two subnetworks. **(See P 1423, Section V, third paragraph – Johnson**

**indicates adding a sequence to lengthen the frame for synchronization purposes. The sequence that is added can be shorter than the normal case consequently making the frame shorter.)**

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Yonge's apparatus to incorporate to incorporate frame synchronization by shifting the frame. The motivation being Yonge describes the need for proper frame synchronization in Column 1, Lines 21-22 and Johnson teaches how frame synchronization is achieved.

8. Regarding **claim 5**, Yonge discloses a network, characterized in that a controller of a subnetwork is provided for communicating with at least another controller of another subnetwork regarding the type of shift. **(See Column 38, Lines 58-63)**

9. Regarding **claim 6**, Yonge discloses a network characterized in that a bridge terminal is provided for instructing the controllers of the subnetworks connecting them as to which controller is to carry out a shift and in which direction. **(See Column 40, Lines 48-67 and Figure 37)**

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Habte Mered whose telephone number is 571 272 6046. The examiner can normally be reached on Monday to Friday 9:30AM to 5:00PM.

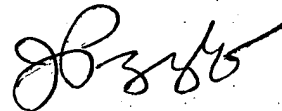
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on 571 272 3088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

10-30-2005

HM



**JOHN PEZZLO**  
**PRIMARY EXAMINER**